

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

APR 12 2012

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOE LUIS REYES,

Defendant.

No. CR-08-6023-RHW

**ORDER DISMISSING  
INDICTMENT**

The Court is in receipt of the Ninth Circuit's mandate in this case. On March 20, 2012, the Circuit issued a memorandum opinion remanding the matter back to this Court with instructions to dismiss the Indictment. (ECF No. 62). Therefore, the Indictment is hereby **DISMISSED, with prejudice**, and the Defendant shall be released from custody immediately.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order and forward copies to counsel, the U.S. Marshal Service, and the U.S. Bureau of Prisons.

**DATED** this 12 day of April, 2012.

  
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ROBERT H. WHALEY  
United States District Judge